

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PETRÓLEOS DE VENEZUELA, S.A., PDVSA
PETRÓLEO, S.A., and PDV HOLDING, INC.,

Plaintiffs and Counterclaim Defendants,

- against -

MUFG UNION BANK, N.A. and GLAS
AMERICAS LLC,

Defendants and Counterclaim Plaintiffs.

No. 19 Civ. 10023 (KPF)

**DECLARATION OF CHRISTOPHER J. CLARK IN SUPPORT OF
DEFENDANTS AND COUNTERCLAIM PLAINTIFFS'
MOTION FOR SUMMARY JUDGMENT**

CHRISTOPHER J. CLARK hereby declares, pursuant to 28 U.S.C. § 1746:

1. I am an attorney admitted to practice in this Court and a member of the law firm of Clark Smith Villazor LLP, 666 Third Avenue, New York, New York 10017. I am counsel for Defendants and Counterclaim Plaintiffs MUFG Union Bank, N.A. (the “Trustee”)¹ and GLAS Americas LLC (the “Collateral Agent”), in their respective capacities as Trustee and Collateral Agent, under the Indenture dated October 27, 2016, and the Pledge and Security Agreement dated October 28, 2016, governing PDVSA’s Senior Secured Notes due 2020, in the above-captioned case. I submit this declaration to place before the Court certain documents referred to in the accompanying Supplemental Local Rule 56.1 Statement of Undisputed Material Facts in Further Support of Defendants and Counterclaim Plaintiffs’ Motion for

¹ The original Trustee, MUFG Union Bank, N.A., merged into U.S. Bank National Association, effective May 26, 2023, with U.S. Bank National Association as the surviving entity.

Summary Judgment and Supplemental Memorandum of Law in Further Support of Defendants and Counterclaim Plaintiffs’ Motion for Summary Judgment filed in this action on January 17, 2025.

2. Attached as Exhibit 1 is a true and correct copy of an excerpt from the Offering Memorandum dated February 3, 2021, published by CITGO Petroleum Corporation (“CITGO Petroleum”).

3. Attached as Exhibit 2 is a true and correct copy of an announcement titled “Cases & Deals: CITGO completes \$650 million Senior Secured Notes offering,” published by Jones Day and dated February 2021.

4. Attached as Exhibit 3 is a true and correct copy of an excerpt from the Preliminary Offering Memorandum dated September 13, 2023, published by CITGO Petroleum.

5. Attached as Exhibit 4 is a true and correct copy of a news release by CITGO Petroleum titled “CITGO Petroleum Corporation Completes \$1.10 Billion Senior Secured Notes Offering,” dated September 20, 2023.

6. Attached as Exhibit 5 is a true and correct copy of an excerpt from the “Statute to Govern a Transition to Democracy to Reestablish the Validity of the Constitution of the Republic of Venezuela” by the National Assembly of the Bolivarian Republic of Venezuela elected in 2015 (the “2015 National Assembly”) and dated December 26, 2020, in its original Spanish text, and a certified translation thereof.

7. Attached as Exhibit 6 is a true and correct copy of the 2015 National Assembly agreement titled “Acknowledgement Agreement of the Great Democratic Protest of the People of Venezuela at the Referendum Dated December 12, 2020,” dated December 15, 2020, in its original Spanish text, and a certified translation thereof.

8. Attached as Exhibit 7 is a true and correct copy of the U.S. Department of State press statement titled “The United States Condemns Venezuela’s Fraudulent Legislative Elections,” dated December 7, 2020.

9. Attached as Exhibit 8 is a true and correct copy of the U.S. Department of State press statement titled “The United States Continues To Recognize Interim President Guaidó and the Last Democratically Elected National Assembly in Venezuela,” dated January 5, 2021.

10. Attached as Exhibit 9 is a true and correct copy of an excerpt of the “Statute to Govern a Transition to Democracy to Reestablish the Validity of the Constitution of the Republic of Venezuela,” published in the Legislative Gazette and dated January 5, 2022, in its original Spanish text, and a certified translation thereof.

11. Attached as Exhibit 10 is a true and correct copy of the U.S. Department of State press statement titled “U.S. Recognition of Venezuela’s 2015 National Assembly and Interim President Guaidó,” dated January 4, 2022.

12. Attached as Exhibit 11 is a true and correct copy of an excerpt of the “Statute to Govern a Transition to Democracy to Reestablish the Validity of the Constitution of the Republic of Venezuela,” published in the Legislative Gazette and dated January 3, 2023, in its original Spanish text, and a certified translation thereof.

13. Attached as Exhibit 12 is a true and correct copy of the press statement by the U.S. Department of State titled “Venezuela’s Interim Government and the 2015 National Assembly,” dated January 3, 2023.

14. Attached as Exhibit 13 is a true and correct copy of the U.S. Department of State webpage for Foreign Consular Office Contact Information for Venezuela, available at

<https://travel.state.gov/content/travel/en/consularnotification/ConsularNotificationandAccess/VenezuelaBolivarianRepublicof.html>, last accessed on January 13, 2025.

15. Attached as Exhibit 14 is a true and correct copy of the joint press statement released by U.S. Secretary of State Antony J. Blinken, the EU High Representative for Foreign Affairs and Security Policy Josep Borrell Fontelles, the Canadian Minister of Foreign Affairs the Honourable Mélanie Joly, and the United Kingdom Secretary of State for Foreign, Commonwealth and Development Affairs James Cleverly titled “Joint Statement on Venezuela Negotiations,” dated October 17, 2023.

16. Attached as Exhibit 15 is a true and correct copy of an excerpt of the “Statute to Govern a Transition to Democracy to Reestablish the Validity of the Constitution of the Republic of Venezuela,” published in the Legislative Gazette and dated December 15, 2023, in its original Spanish text, and a certified translation thereof.

17. Attached as Exhibit 16 is a true and correct copy of the U.S. Department of State press statement titled “Venezuelan Supreme Court Rulings and the Barbados Agreement,” dated January 27, 2024.

18. Attached as Exhibit 17 is a true and correct copy of the U.S. Department of State press statement titled “Opposition Candidate Registration for Venezuela’s Presidential Election,” dated March 27, 2024.

19. Attached as Exhibit 18 is a true and correct copy of the U.S. Department of State press statement titled “Assessing the Results of Venezuela’s Presidential Election,” dated August 1, 2024.

20. Attached as Exhibit 19 is a true and correct copy of the U.S. Department of State press statement titled “On the ruling of Venezuela’s Supreme Tribunal of Justice,” dated August 23, 2024.

21. Attached as Exhibit 20 is a true and correct copy of the U.S. Department of the Treasury press statement titled “Treasury Targets Venezuelan Officials Aligned by Nicolas Maduro in Response to Electoral Fraud,” dated September 12, 2024.

22. Attached as Exhibit 21 is a true and correct copy of the X.com post by U.S. Secretary of State Antony J. Blinken released at 3:30 P.M. EDT on November 19, 2024, available at <https://x.com/SecBlinken/status/1858971068314382481>.

23. Attached as Exhibit 22 is a true and correct copy of the announcement by the 2015 National Assembly addressed to Sr. Francisco Palmieri and dated December 19, 2024, in its original Spanish text, and a certified translation thereof.

24. Attached as Exhibit 23 is a true and correct copy of the article published by The Rio Times titled “Venezuela denounces ‘kidnapping’ of Citgo by U.S. and demands its immediate return,” dated August 15, 2023.

25. Attached as Exhibit 24 is a true and correct copy of the U.S. Department of State press statement titled “Condemning Nicolás Maduro’s Illegitimate Attempt to Seize Power in Venezuela and Announcing New Actions Against Maduro and His Representatives and to Support the Venezuelan People,” dated January 10, 2025.

26. Attached as Exhibit 25 is a true and correct copy of the U.S. Department of State bilateral relations fact sheet titled “U.S. Relations With Venezuela,” dated July 18, 2024.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
January 17, 2025



Christopher J. Clark